

San Diego Regional Water Board					
9	MCC San Diego	Bureau of Prisons	Within Urbanized Area	New	
9	San Diego State University	California State University	Within Urbanized Area	New	
9	California State University San Marcos	California State University	Within Urbanized Area	New	
9	R J Donovan Correctional Facility at Rock Mountain	Corrections and Rehabilitation, Dept of	Within Urbanized Area	New	
9	Miramar Marine Corps Air Station	Defense, Department of	Regional Board Designation	New	
9	Camp Pendleton	Defense, Department of	Within Urbanized Area	New	
9	Del Mar Fairgrounds	District Agricultural Association	Renewal	Renewal	
9	San Diego County Fairgrounds	District Agricultural Association	Within Urbanized Area	New	
9	North County Transit District (NCTD)	Transportation Agency	Regional Board Designation	New	
9	University of California, San Diego	University of California	Within Urbanized Area	New	
9	VA San Diego Healthcare System	Veteran Affairs	Within Urbanized Area	New	

Special Conditions (Specific Provisions) for Traditional and Non-Traditional Small MS4 ASBS Discharges

All Traditional and Non-traditional Small MS4 Permittees that discharge to ASBS as listed in Attachment D have been granted an exception to the Ocean Plan and shall comply with the following Special Protections requirements. Special Protections for Areas of Special Biological Significance, Governing Point Source Discharges of Storm Water and Nonpoint Source Waste Discharges (Attachment B to State Water Board Resolution 2012-0001) (Special Protections).

The Special Protections for Areas of Special Biological Significance require submittal of Compliance Plans to be included in a SWMP. However, SWMPs are no longer required for submittal by this Order. As such, Permittees shall submit a stand-alone Compliance Plan document for ASBS discharges and submit per the Special Conditions compliance schedule, through their online Annual Report.

I. PROVISIONS FOR POINT SOURCE DISCHARGES OF STORM WATER

The following terms, prohibitions, and special conditions (hereafter collectively referred to as special conditions) are established as limitations on point source storm water. These special conditions provide Special Protections for marine aquatic life and natural water quality in Areas of Special Biological Significance (ASBS), as required for State Water Quality Protection Areas pursuant to California Public Resources Code Sections 36700(f) and 36710(f). These Special Protections are adopted by the State Water Board as part of the California Ocean Plan (Ocean Plan) General Exception.

A. PERMITTED POINT SOURCE DISCHARGES OF STORM WATER

1. General Provisions for Permitted Point Source Discharges of Storm Water

- a. Existing storm water discharges into an ASBS are allowed only under the following conditions:
 - (1) The discharges are authorized by this Order;
 - (2) The discharges comply with all of the applicable terms, prohibitions, and special conditions contained in the Special Protections as laid out in this Attachment; and
 - (3) The discharges:
 - (i) Are essential for flood control or slope stability, including roof, landscape, road, and parking lot drainage;
 - (ii) Are designed to prevent soil erosion;
 - (iii) Occur only during wet weather;
 - (iv) Are composed of only storm water runoff.
- b. Discharges composed of storm water runoff shall not alter natural ocean water quality in an ASBS.

- c. The discharge of trash is prohibited.
- d. Only discharges from existing storm water outfalls are allowed. Any proposed or new storm water runoff discharge shall be routed to existing storm water discharge outfalls and shall not result in any new contribution of waste to an ASBS (i.e., no additional pollutant loading). "Existing storm water outfalls" are those that were constructed or under construction prior to January 1, 2005. "New contribution of waste" is defined as any addition of waste beyond what would have occurred as of January 1, 2005. A change to an existing storm water outfall, in terms of re-location or alteration, in order to comply with these special conditions, is allowed and does not constitute a new discharge.
- e. Non-storm water discharges are prohibited except as provided below:
 - (1) The term "non-storm water discharges" means any waste discharges from a municipal separate storm sewer system (MS4) or other NPDES permitted storm drain system to an ASBS that are not composed entirely of storm water.
 - (2) The following non-storm water discharges are allowed, provided that the discharges are essential for emergency response purposes, structural stability, slope stability or occur naturally:
 - (i) Discharges associated with emergency firefighting operations.
 - (ii) Foundation and footing drains.
 - (iii) Water from crawl space or basement pumps.
 - (iv) Hillside dewatering.
 - (v) Naturally occurring groundwater seepage via a storm drain.
 - (vi) Non-anthropogenic flows from a naturally occurring stream via a culvert or storm drain, as long as there are no contributions of anthropogenic runoff.
 - (3) Discharges from utility vaults and underground structures to a segment of the MS4 with a direct discharge to an ASBS are permitted if such discharges are authorized by the General NPDES Permit for Discharges from Utility Vaults and Underground Structures to Surface Water, NPDES No. CAG 990002. Other short-duration, intermittent non-storm water discharges related to utilities (e.g. groundwater dewatering, potable water system flushing, hydrotest discharges) to a segment of the MS4 with a direct discharge to an ASBS are permitted if such discharges are authorized by an NPDES permit issued by the relevant Regional Water Board. A Regional Water Board may nonetheless prohibit a specific discharge from a utility vault or underground structure or other specific utility-related discharge if it determines that the discharge is causing the MS4 discharge to the ASBS to alter natural ocean water quality in the

ASBS. Additional non-storm water discharges to a segment of the MS4 with a direct discharge to an ASBS are allowed only to the extent the relevant Regional Water Board finds that the discharge does not alter natural ocean water quality in the ASBS.

This provision does not supersede the authority of the MS4 to effectively prohibit a non-storm water discharge that has been found to alter natural ocean water quality in the ASBS.

- (4) Authorized non-storm water discharges shall not cause or contribute to a violation of the water quality objectives in Chapter II of the Ocean Plan nor alter natural ocean water quality in an ASBS.

2. Compliance Plans for Inclusion in Storm Water Management Plans (SWMP) and Storm Water Pollution Prevention Plans (SWPPP)

The Permittee shall specifically address the prohibition of non-storm water runoff and the requirement to maintain natural water quality for storm water discharges to an ASBS in an ASBS Compliance Plan to be submitted to the appropriate Regional Water Board. The ASBS Compliance Plan is subject to approval by the Executive Director of the State Water Board.

- a. The Compliance Plan shall include a map of surface drainage of storm water runoff, showing areas of sheet runoff, prioritize discharges, and describe any structural Best Management Practices (BMPs) already employed and/or BMPs to be employed in the future. Priority discharges are those that pose the greatest water quality threat and which are identified to require installation of structural BMPs. The map shall also show the storm water conveyances in relation to other features such as service areas, sewage conveyances and treatment facilities, landslides, areas prone to erosion and waste and hazardous material storage areas, if applicable. The SWMP or SWPPP shall also include a procedure for updating the map and plan when changes are made to the storm water conveyance facilities.
- b. The ASBS Compliance Plan shall describe the measures by which all non-authorized non-storm water runoff (e.g., dry weather flows) has been eliminated, how these measures will be maintained over time, and how these measures are monitored and documented.
- c. The ASBS Compliance Plan shall require minimum inspection frequencies as follows:
 - (1) The minimum inspection frequency for construction sites shall be weekly during rainy season;
 - (2) The minimum inspection frequency for industrial facilities shall be monthly during the rainy season;
 - (3) The minimum inspection frequency for commercial facilities (e.g., restaurants) shall be twice during the rainy season;

- (4) Storm water outfall drains equal to or greater than 18 inches (457 mm) in diameter or width shall be inspected once prior to the beginning of the rainy season and once during the rainy season and maintained to remove trash and other anthropogenic debris.
- d. The ASBS Compliance Plan shall address storm water discharges (wet weather flows) and, in particular, describe how pollutant reductions in storm water runoff, that are necessary to comply with these special conditions, will be achieved through BMPs. Structural BMPs need not be installed if the Permittee can document to the satisfaction of the State Water Board Executive Director that such installation would pose a threat to health or safety. BMPs to control storm water runoff discharges (at the end-of-pipe) during a design storm shall be designed to achieve on average the following target levels:
 - (1) Table B Instantaneous Maximum Water Quality Objectives in Chapter II of the Ocean Plan; or
 - (2) A 90% reduction in pollutant loading during storm events, for the Permittee's total discharges. The baseline for the reduction is the effective date of the Exception. The baseline for these determinations is the effective date of the Exception, and the reductions must be achieved and documented within six (6) years of the effective date.
- e. The ASBS Compliance Plan shall address erosion control and the prevention of anthropogenic sedimentation in ASBS. The natural habitat conditions in the ASBS shall not be altered as a result of anthropogenic sedimentation.
- f. The ASBS Compliance Plan shall describe the non-structural BMPs currently employed and planned in the future (including those for construction activities), and include an implementation schedule. The ASBS Compliance Plan shall include non-structural BMPs that address public education and outreach. Education and outreach efforts must adequately inform the public that direct discharges of pollutants from private property not entering an MS4 are prohibited. The ASBS Compliance Plan shall also describe the structural BMPs, including any low impact development (LID) measures, currently employed and planned for higher threat discharges and include an implementation schedule. To control storm water runoff discharges (at the end-of-pipe) during a design storm, permittees must first consider using LID practices to infiltrate, use, or evapotranspire storm water runoff on-site.
- g. The BMPs and implementation schedule shall be designed to ensure that natural water quality conditions in the receiving water are achieved and maintained by either reducing flows from impervious surfaces or reducing pollutant loading, or some combination thereof.
- h. If the results of the receiving water monitoring described in Section IV. B. below indicate that the storm water runoff is causing or contributing to an alteration of natural ocean water quality in the ASBS, the Permittee shall submit a report to the State Water Board and Regional Water Board within 30 days of receiving the results.

- (1) The report shall identify the constituents in storm water runoff that alter natural ocean water quality and the sources of these constituents.
- (2) The report shall describe BMPs that are currently being implemented, BMPs that are identified in the ASBS Compliance Plan for future implementation, and any additional BMPs that may be added to the ASBS Compliance Plan to address the alteration of natural water quality. The report shall include a new or modified implementation schedule for the BMPs.
- (3) Within 30 days of the approval of the report by the State Water Board Executive Director, the Permittee shall revise its ASBS Compliance Plan to incorporate any new or modified BMPs that have been or will be implemented, the implementation schedule, and any additional monitoring required.
- (4) As long as the Permittee has complied with the procedures described above and is implementing the revised ASBS Compliance Plan, the Permittee does not have to repeat the same procedure for continuing or recurring exceedances of natural ocean water quality conditions due to the same constituent.
- (5) Compliance with this section does not excuse violations of any term, prohibition, or condition contained in the Special Protections.

3. Compliance Schedule

- a. On the effective date of the Exception, all non-authorized non-storm water discharges (e.g., dry weather flow) are effectively prohibited.
- b. Within 18 months from the effective date of the Exception, the Permittee shall submit a written ASBS Compliance Plan to the State Water Board Executive Director that describes its strategy to comply with these special conditions, including the requirement to maintain natural water quality in the affected ASBS. The ASBS Compliance Plan shall include a time schedule to implement appropriate non-structural and structural controls (implementation schedule) to comply with these special conditions.
- c. Within 18 months of the effective date of the Exception, any non-structural controls that are necessary to comply with these special conditions shall be implemented.
- d. Within six (6) years of the effective date of the Exception, any structural controls identified in the ASBS Compliance Plan that are necessary to comply with these special conditions shall be operational.
- e. Within six (6) years of the effective date of the Exception, all Permittees must comply with the requirement that their discharges into the affected ASBS maintain natural ocean water quality. If the initial results of post-storm receiving water quality testing indicate levels higher than the 85th percentile threshold of reference water quality data and the pre-storm receiving water levels, then the Permittee must re-sample the receiving water, pre- and post-storm. If after re-sampling the post-storm levels are still higher than the 85th percentile threshold of reference water quality data, and the pre-storm receiving water levels, for any constituent, then natural ocean water quality is exceeded. See attached Flowchart Section C.

- f. The Executive Director of the State Water Board may only authorize additional time to comply with the special conditions d. and e., above if good cause exists to do so. Good cause means a physical impossibility or lack of funding.

If a Permittee claims physical impossibility, it shall notify the Board in writing within thirty (30) days of the date that the Permittee first knew of the event or circumstance that caused or would cause it to fail to meet the deadline in d. or e. The notice shall describe the reason for the noncompliance or anticipated noncompliance and specifically refer to this Section of this Exception. It shall describe the anticipated length of time the delay in compliance may persist, the cause or causes of the delay as well as measures to minimize the impact of the delay on water quality, the measures taken or to be taken by the Permittee to prevent or minimize the delay, the schedule by which the measures will be implemented, and the anticipated date of compliance. The Permittee shall adopt all reasonable measures to avoid and minimize such delays and their impact on water quality.

The Permittee may request an extension of time for compliance based on lack of funding. The request for an extension shall require:

1. for Traditional Small MS4s, a demonstration of significant hardship to Permittee ratepayers, by showing the relationship of storm water fees to annual household income for residents within the Permittee's jurisdictional area, and the Permittee has made timely and complete applications for all available bond and grant funding, and either no bond or grant funding is available, or bond and/or grant funding is inadequate; or
2. for Non-Traditional Small MS4s, a demonstration and documentation of a good faith effort to acquire funding through that agency's budgetary process.

II. ADDITIONAL REQUIREMENTS FOR PARKS AND RECREATION FACILITIES

In addition to the provisions in Section I (A) a Permittee with parks and recreation facilities shall comply with the following:

- A. The Permittee shall include a section in an ASBS Compliance Plan to address storm water runoff from parks and recreation facilities.
 1. The Section shall identify all pollutant sources, including sediment sources, which may result in waste entering storm water runoff. Pollutant sources include, but are not limited to, roadside rest areas and vistas, picnic areas, campgrounds, trash receptacles, maintenance facilities, park personnel housing, portable toilets, leach fields, fuel tanks, roads, piers, and boat launch facilities.
 2. The Section shall describe BMPs or Management Measures/Practices that will be implemented to control soil erosion (both temporary and permanent erosion controls) and reduce or eliminate pollutants in storm water runoff in order to achieve and maintain natural water quality conditions in the affected ASBS. The plan shall include BMPs or Management Measures/Practices to ensure that trails and culverts are maintained to prevent erosion and minimize waste discharges to ASBS.

3. The Section shall include BMPs or Management Measures/Practices to prevent the discharge of pesticides or other chemicals, including agricultural chemicals, in storm water runoff to the affected ASBS.
 4. The Section shall include BMPs or Management Measures/Practices that address public education and outreach. The goal of these BMPs or Management Measures/Practices is to ensure that the public is adequately informed that waste discharges to the affected ASBS are prohibited or limited by special conditions in the Special Protections as laid out in this Attachment . The BMPs or Management Measures/Practices shall include signage at camping, picnicking, beach and roadside parking areas, and visitor centers, or other appropriate measures, which notify the public of any applicable requirements of the Special Protections as laid out in this Attachment and identify the ASBS boundaries.
 5. The Section shall include BMPs or Management Measures/Practices that address the prohibition against the discharge of trash to ASBS. The BMPs or Management Measures/Practices shall include measures to ensure that adequate trash receptacles are available for public use at visitor facilities, including parking areas, and that the receptacles are adequately maintained to prevent trash discharges into the ASBS. Appropriate measures include covering trash receptacles to prevent trash from being windblown and periodically emptying the receptacles to prevent overflows.
 6. The Section shall include BMPs or Management Measures/Practices to address runoff from parking areas and other developed features to ensure that the runoff does not alter natural water quality in the affected ASBS. BMPs or Management Measures/Practices shall include measures to reduce pollutant loading in runoff to the ASBS through installation of natural area buffers (LID), treatment, or other appropriate measures.
- B. Maintenance and repair of park and recreation facilities must not result in waste discharges to the ASBS. The practice of road oiling must be minimized or eliminated, and must not result in waste discharges to the ASBS.

III. ADDITIONAL REQUIREMENTS – WATERFRONT AND MARINE OPERATIONS

In addition to the provisions in Section I (A), a Permittee with waterfront and marine operations shall comply with the following:

- A. For discharges related to waterfront and marine operations, the Permittee shall develop a Waterfront and Marine Operations Management Section (Waterfront Section) for its ASBS Compliance Plan. The Waterfront Section shall contain appropriate Best Management Practices (BMPs) to address pollutant discharges to the affected ASBS.
 1. The Waterfront Section shall contain appropriate BMPs for any waste discharges associated with the operation and maintenance of vessels, moorings, piers, launch ramps, and cleaning stations in order to ensure that beneficial uses are protected and natural water quality is maintained in the affected ASBS.

2. For discharges from marinas and recreational boating activities, the Waterfront Section shall include appropriate Management Measures, described in The Plan for California's Nonpoint Source Pollution Control Program, for marinas and recreational boating, or equivalent practices, to ensure that nonpoint source pollutant discharges do not alter natural water quality in the affected ASBS.
 3. The Waterfront Section shall include BMPs to address public education and outreach to ensure that the public is adequately informed that waste discharges to the affected ASBS are prohibited or limited by special conditions in the Special Protections as laid out in this Attachment. The BMPs shall include appropriate signage, or similar measures, to inform the public of the ASBS restrictions and to identify the ASBS boundaries.
 4. The Waterfront Section shall include BMPs to address the prohibition against trash discharges to ASBS. The BMPs shall include the provision of adequate trash receptacles for marine recreation areas, including parking areas, launch ramps, and docks. The plan shall also include appropriate BMPs to ensure that the receptacles are adequately maintained and secured in order to prevent trash discharges into the ASBS. Appropriate BMPs include covering the trash receptacles to prevent trash from being windblown, staking or securing the trash receptacles so they don't tip over, and periodically emptying the receptacles to prevent overflow.
 5. The Permittee shall submit the Waterfront Plan to the Executive Director of the State Water Board within six months of the effective date of these special conditions. The Waterfront Plan is subject to approval by the State Water Board Executive Director. The plan must be fully implemented within 18 months of the effective date of the Exception.
- B. The discharge of chlorine, soaps, petroleum, other chemical contaminants, trash, fish offal, or human sewage to ASBS is prohibited. Sinks and fish cleaning stations are point source discharges of wastes and are prohibited from discharging into ASBS. Anthropogenic accumulations of discarded fouling organisms on the sea floor must be minimized.
- C. Limited-term activities, such as the repair, renovation, or maintenance of waterfront facilities, including, but not limited to, piers, docks, moorings, and breakwaters, are authorized only in accordance with Chapter III.E.2 of the Ocean Plan.
- D. If the Permittee anticipates that it will fail to fully implement the approved Waterfront Plan within the 18 month deadline, the Permittee shall submit a technical report as soon as practicable to the State Water Board Executive Director. The technical report shall contain reasons for failing to meet the deadline and propose a revised schedule to fully implement the plan.
- E. The State Water Board Executive Director may, for good cause, authorize additional time to comply with the Waterfront Plan. Good cause means a physical impossibility or lack of funding.

If a Permittee claims physical impossibility, it shall notify the Board in writing within thirty (30) days of the date that the Permittee first knew of the event or circumstance that caused or would cause it to fail to meet the deadline in Section III.A.5. The notice shall describe the reason for

the noncompliance or anticipated noncompliance and specifically refer to this Section of the Special Protections as laid out in this Attachment. It shall describe the anticipated length of time the delay in compliance may persist, the cause or causes of the delay as well as measures to minimize the impact of the delay on water quality, the measures taken or to be taken by the Permittee to prevent or minimize the delay, the schedule by which the measures will be implemented, and the anticipated date of compliance. The Permittee shall adopt all reasonable measures to avoid and minimize such delays and their impact on water quality. The Permittee may request an extension of time for compliance based on lack of funding. The request for an extension shall require:

1. a demonstration of significant hardship by showing that the Permittee has made timely and complete applications for all available bond and grant funding, and either no bond or grant funding is available, or bond and/or grant funding is inadequate.
2. for governmental agencies, a demonstration and documentation of a good faith effort to acquire funding through that agency's budgetary process, and a demonstration that funding was unavailable or inadequate.

IV. MONITORING REQUIREMENTS

Monitoring is mandatory for all Permittees to assure compliance with the Ocean Plan. Monitoring requirements include both: (A) core discharge monitoring, and (B) ocean receiving water monitoring. The State and Regional Water Boards must approve sampling site locations and any adjustments to the monitoring programs. All ocean receiving water and reference area monitoring must be comparable with the Water Boards' Surface Water Ambient Monitoring Program (SWAMP).

Safety concerns: Sample locations and sampling periods must be determined considering safety issues. Sampling may be postponed upon notification to the State and Regional Water Boards if hazardous conditions prevail.

Analytical Chemistry Methods: All constituents must be analyzed using the lowest minimum detection limits comparable to the Ocean Plan water quality objectives. For metal analysis, all samples, including storm water effluent, reference samples, and ocean receiving water samples, must be analyzed by the approved analytical method with the lowest minimum detection limits (currently Inductively Coupled Plasma/Mass Spectrometry) described in the Ocean Plan.

A. CORE DISCHARGE MONITORING PROGRAM

1. General sampling requirements for timing and storm size:

Runoff must be collected during a storm event that is greater than 0.1 inch and generates runoff, and at least 72 hours from the previously measurable storm event. Runoff samples shall be collected when post-storm receiving water is sampled, and analyzed for the same constituents as receiving water and reference site samples (see section IV B) as described below.

2. Runoff flow measurements

- a. For municipal/industrial storm water outfalls in existence as of December 31, 2007, 18 inches (457mm) or greater in diameter/width (including multiple outfall pipes in combination having a width of 18 inches, runoff flows must be measured or calculated, using a method acceptable to and approved by the State and Regional Water Boards.
- b. This will be reported annually for each precipitation season to the State and Regional Water Boards.

3. Runoff samples – storm events

- a. For outfalls equal to or greater than 18 inches (0.46m) in diameter or width:
 - (1) samples of storm water runoff shall be analyzed during the same storm as receiving water samples for oil and grease, total suspended solids, and, within the range of the southern sea otter indicator bacteria or some other measure of fecal contamination, and
 - (2) samples of storm water runoff shall be analyzed for critical life stage chronic toxicity (one invertebrate or algal species) at least once during each storm season when receiving water is sampled in the ASBS
 - (3) If a Permittee has no outfall greater than 36 inches, then storm water runoff from the Permittee's largest outfall shall be further analyzed during the same storm as receiving water samples for Ocean Plan Table B metals for protection of marine life, Ocean Plan polynuclear aromatic hydrocarbons (PAHs), current use pesticides (pyrethroids and OP pesticides), and nutrients (ammonia, nitrate and phosphates).
- b. For outfalls equal to or greater than 36 inches (0.91m) in diameter or width:
 - (1) samples of storm water runoff shall be analyzed during the same storm as receiving water samples for oil and grease, total suspended solids, and, within the range of the southern sea otter indicator bacteria or some other measure of fecal contamination; and
 - (2) samples of storm water runoff shall be further analyzed during the same storm as receiving water samples for Ocean Plan Table B metals for protection of marine life, Ocean Plan polynuclear aromatic hydrocarbons (PAHs), current use pesticides (pyrethroids and OP pesticides), and nutrients (ammonia, nitrate and phosphates) and
 - (3) samples of storm water runoff shall be analyzed for critical stage chronic toxicity (one invertebrate or algal species) at least once during each storm season when receiving water is sampled in the ASBS.
- c. For a Permittee not participating in a regional monitoring program [see below in Section IV (B)] in addition to (a.) and (b.) above, a minimum of the two largest outfalls or 20 percent of the larger outfalls, whichever is greater, shall be sampled (flow weighted composite samples) at least three times annually during wet weather (storm event) and

analyzed for all Ocean Plan Table A constituents, Table B constituents for marine aquatic life protection (except for toxicity, only chronic toxicity for three species shall be required), DDT, PCBs, Ocean Plan PAHs, OP pesticides, pyrethroids, nitrates, phosphates, and Ocean Plan indicator bacteria. For parties discharging to ASBS in more than one Regional Water Board region, at a minimum, one (the largest) such discharge shall be sampled annually in each Region.

4. The Executive Director of the State Water Board may reduce or suspend core monitoring once the storm runoff is fully characterized. This determination may be made at any point after the discharge is fully characterized, but is best made after the monitoring results from the first permit cycle are assessed.

B. OCEAN RECEIVING WATER AND REFERENCE AREA MONITORING PROGRAM

In addition to performing the Core Discharge Monitoring Program in Section IV.A above, all applicants having authorized discharges must perform ocean receiving water monitoring. In order to fulfill the requirements for monitoring the physical, chemical, and biological characteristics of the ocean receiving waters within their ASBS, Permittees may choose either (1) an individual monitoring program, or (2) participation in a regional integrated monitoring program.

1. Individual Monitoring Program: The requirements listed below are for those Permittees who elect to perform an individual monitoring program to fulfill the requirements for monitoring the physical, chemical, and biological characteristics of the ocean receiving waters within the affected ASBS. In addition to Core Discharge Monitoring, the following additional monitoring requirements shall be met:
 - a. Three times annually, during wet weather (storm events), the receiving water at the point of discharge from the outfalls described in section (IV)(A)(3)(c) above shall be sampled and analyzed for Ocean Plan Table A constituents, Table B constituents for marine aquatic life, DDT, PCBs, Ocean Plan PAHs, OP pesticides, pyrethroids, nitrates, phosphates, salinity, chronic toxicity (three species), and Ocean Plan indicator bacteria.

The sample location for the ocean receiving water shall be in the surf zone at the point of discharges; this must be at the same location where storm water runoff is sampled. Receiving water shall be sampled at approximately the same time prior to (pre-storm) and during (or immediately after) the same storm (post storm). Reference water quality shall also be sampled and analyzed for the same constituents pre-storm and post-storm, during the same storms when receiving water is sampled. Reference stations will be determined by the State Water Board's Division of Water Quality and the applicable Regional Water Board(s).

- b. Sediment sampling shall occur at least three times during every five (5) year period. The subtidal sediment (sand or finer, if present) at the discharge shall be sampled and analyzed for Ocean Plan Table B constituents for marine aquatic life, DDT, PCBs, PAHs, pyrethroids, and OP pesticides. For sediment toxicity testing, only an acute toxicity test using the amphipod *Eohaustorius estuarius* must be performed.

- c. A quantitative survey of intertidal benthic marine life shall be performed at the discharge and at a reference site. The survey shall be performed at least once every five (5) year period. The survey design is subject to approval by the Regional Water Board and the State Water Board's Division of Water Quality. The results of the survey shall be completed and submitted to the State Water Board and Regional Water Board at least six months prior to the end of the permit cycle.
 - d. Once during each five (5) year period, a bioaccumulation study shall be conducted to determine the concentrations of metals and synthetic organic pollutants at representative discharge sites and at representative reference sites. The study design is subject to approval by the Regional Water Board and the State Water Board's Division of Water Quality. The bioaccumulation study may include California mussels (*Mytilus californianus*) and/or sand crabs (*Emerita analoga* or *Blepharipoda occidentalis*). Based on the study results, the Regional Water Board and the State Water Board's Division of Water Quality, may adjust the study design in subsequent permits, or add or modify additional test organisms (such as shore crabs or fish), or modify the study design appropriate for the area and best available sensitive measures of contaminant exposure.
 - e. Marine Debris: Representative quantitative observations for trash by type and source shall be performed along the coast of the ASBS within the influence of the Permittee's outfalls. The design, including locations and frequency, of the marine debris observations is subject to approval by the Regional Water Board and State Water Board's Division of Water Quality.
 - f. The monitoring requirements of the Individual Monitoring Program in this section are minimum requirements. After a minimum of one (1) year of continuous water quality monitoring of the discharges and ocean receiving waters, the Executive Director of the State Water Board (may require additional monitoring, or adjust, reduce or suspend receiving water and reference station monitoring. This determination may be made at any point after the discharge and receiving water is fully characterized, but is best made after the monitoring results from the first permit cycle are assessed.
2. Regional Integrated Monitoring Program: Permittees may elect to participate in a regional integrated monitoring program, in lieu of an individual monitoring program, to fulfill the requirements for monitoring the physical, chemical, and biological characteristics of the ocean receiving waters within their ASBS. This regional approach shall characterize natural water quality, pre- and post-storm, in ocean reference areas near the mouths of identified open space watersheds and the effects of the discharges on natural water quality (physical, chemical, and toxicity) in the ASBS receiving waters, and should include benthic marine aquatic life and bioaccumulation components. The design of the ASBS stratum of a regional integrated monitoring program may deviate from the otherwise prescribed individual monitoring approach (in Section IV.B.1) if approved by the State Water Board's Division of Water Quality and the Regional Water Boards.
- a. Ocean reference areas shall be located at the drainages of flowing watersheds with minimal development (in no instance more than 10% development), and shall not be located in CWA Section 303(d) listed waterbodies or have tributaries that are 303(d) listed. Reference areas shall be free of wastewater discharges and anthropogenic non-storm water runoff. A minimum of low threat storm runoff discharges (e.g. stream highway overpasses and campgrounds) may be allowed on a case-by-case basis.

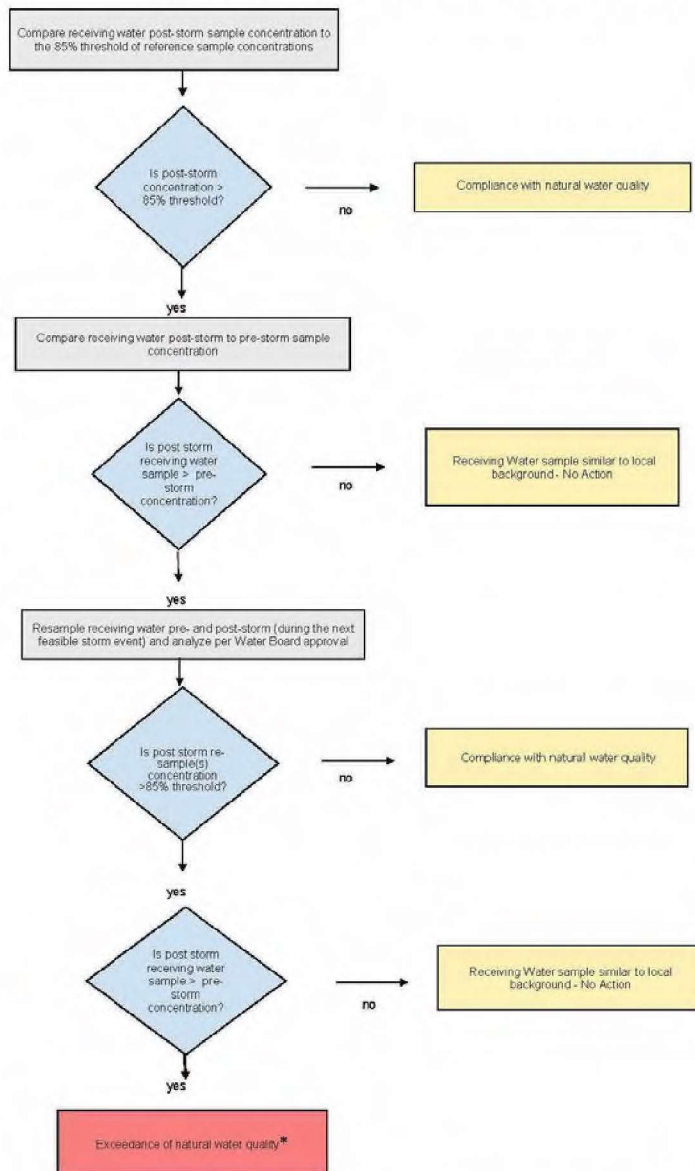
Reference areas shall be located in the same region as the ASBS receiving water monitoring occurs. The reference areas for each Region are subject to approval by the participants in the regional monitoring program and the State Water Board's Division of Water Quality and the applicable Regional Water Board(s). A minimum of three ocean reference water samples must be collected from each station, each from a separate storm. A minimum of one reference location shall be sampled for each ASBS receiving water site sampled per responsible party. For parties discharging to ASBS in more than one Regional Water Board region, at a minimum, one reference station and one receiving water station shall be sampled in each region.

- b. ASBS ocean receiving water must be sampled in the surf zone at the location where the runoff makes contact with ocean water (i.e. at "point zero"). Ocean receiving water stations must be representative of worst-case discharge conditions (i.e. co-located at a large drain greater than 36 inches, or if drains greater than 36 inches are not present in the ASBS then the largest drain greater than 18 inches.) Ocean receiving water stations are subject to approval by the participants in the regional monitoring program and the State Water Board's Division of Water Quality and the applicable Regional Water Board(s). A minimum of three ocean receiving water samples must be collected during each storm season from each station, each from a separate storm. A minimum of one receiving water location shall be sampled in each ASBS per responsible party in that ASBS. For parties discharging to ASBS in more than one Regional Water Board region, at a minimum, one reference station and one receiving water station shall be sampled in each region.
 - c. Reference and receiving water sampling shall commence during the first full storm season following the adoption of these special conditions, and post-storm samples shall be collected when annual storm water runoff is sampled. Sampling shall occur in a minimum of two storm seasons. For those ASBS Permittees that have already participated in the Southern California Bight 2008 ASBS regional monitoring effort, sampling may be limited to only one storm season.
 - d. Receiving water and reference samples shall be analyzed for the same constituents as storm water runoff samples. At a minimum, constituents to be sampled and analyzed in reference and discharge receiving waters must include oil and grease, total suspended solids, Ocean Plan Table B metals for protection of marine life, Ocean Plan PAHs, pyrethroids, OP pesticides, ammonia, nitrate, phosphates, and critical life stage chronic toxicity for three species. In addition, within the range of the southern sea otter, indicator bacteria or some other measure of fecal contamination shall be analyzed.
3. Waterfront and Marine Operations: In addition to the above requirements for ocean receiving water monitoring, additional monitoring must be performed for marinas and boat launch and pier facilities:
- a. For all marina or mooring field operators, in mooring fields with 10 or more occupied moorings, the ocean receiving water must be sampled for Ocean Plan indicator bacteria, residual chlorine, copper, zinc, grease and oil, methylene blue active substances (MBAS), and ammonia nitrogen.

- (1) For mooring field operators opting for an individual monitoring program (Section IV.B.1 above), this sampling must occur weekly (on the weekend) from May through October.
 - (2) For mooring field operators opting to participate in a regional integrated monitoring program (Section IV.B.2 above), this sampling must occur from May through October on a high weekend in each month. The Water Boards may allow a reduction in the frequency of sampling, through the regional monitoring program, after the first year of monitoring.
- b. For all mooring field operators, the subtidal sediment (sand or finer, if present) within the mooring fields and below piers shall be sampled and analyzed for Ocean Plan Table B metals (for marine aquatic life beneficial use), acute toxicity, PAHs, and tributyltin. For sediment toxicity testing, only an acute toxicity test using the amphipod *Eohaustorius estuarius* must be performed. This sampling shall occur at least three times during a five (5) year period. For mooring field operators opting to participate in a regional integrated monitoring program, the Water Boards may allow a reduction in the frequency of sampling after the first sampling effort's results are assessed.

C. ASBS Flow Chart

Figure 2
ASBS Special Protections
Flowchart to Determine Compliance with Natural Water Quality



* When an exceedance of natural water quality occurs, the Department must comply with section I.A.2.h of the Special Protections as well as the requirements of this Order. Note, when sampling data is available, end-of-pipe effluent concentrations will be considered by the Water Boards in making this determination.

D. ASBS Monitoring Constituents

TABLE A
Monitoring Constituent List
(excerpted from California Ocean Plan dated 2009)

Constituent	Units
Grease and Oil	mg/L
Suspended Solids	Mg/L
Settleable Solids	mL/L
Turbidity	NTU
PH	

TABLE B
Monitoring Constituent List
(excerpted from California Ocean Plan dated 2009)

Constituent	Units
Arsenic	ig/L
Cadmium	ig/L
Chromium	ig/L
Copper	ig/L
Lead	ig/L
Mercury	ig/L
Nickel	ig/L
Selenium	ig/L
Silver	ig/L
Zinc	ig/L
Cyanide	ig/L
Total Chlorine Residual	ig/L
Ammonia (as N)	ig/L
Acute Toxicity	TUa
Chronic Toxicity	TUc
Phenolic Compounds (non-chlorinated)	ig/L
Chlorinated Phenolics	ig/L
Endosulfan	ig/L
Endrin	ig/L
HCH	µg/L

**Phase II Small MS4 Entities Authorized to Discharge to
Areas of Special Biological Significance (ASBS)**

Regional Board	Applicant	ASBS
North Coast Water Board	City of Trinidad	Trinidad Head
	County of Humboldt	King Range
	Humboldt Bay Harbor District	King Range
	Department of Parks and Recreation	Gerstle Cove
	Department of Parks and Recreation	Jughandle Cove
	Department of Parks and Recreation	King Range
	Department of Parks and Recreation	Trinidad Head
	Department of Parks and Recreation	Redwoods State and National Park
San Francisco Water Board	County of Marin	Duxbury Reef
	Defense, Department of (Vandenberg Air Force Base)	James V. Fitzgerald
	National Park Service	Point Reyes National Seashore
Central Coast Water Board	City of Monterey	Pacific Grove
	City of Pacific Grove	Pacific Grove
	City of Carmel by The Sea	Carmel Bay
	County of Monterey	Carmel Bay
	Department of Parks and Recreation	Año Nuevo
	Department of Parks and Recreation	Carmel Bay
	Department of Parks and Recreation	Julia Pfeiffer Burns
	Department of Parks and Recreation	Point Lobos
Los Angeles Water Board	Department of Parks and Recreation	Laguna Point to Latigo Point
Santa Ana Water Board	Department of Parks and Recreation	Irvine Coast

Community-Based Social Marketing (CBSM) Education and Outreach Requirements

A. Public Education and Outreach Program

A.1 Compliance Participation Options

Within the first year of the effective date of the permit, all Permittees shall comply with the requirements in this Section by participating in one or more of the following:

- (i) Contributing to a countywide storm water program, as determined appropriate by the Permittee members, so that the countywide storm water program conducts education and outreach on behalf of its members; or
- (ii) Contributing to a regional education and outreach collaborative effort (a regional outreach and education collaborative effort occurs when all or a majority of the Permittees collaborate to conduct regional outreach and education. Regional education and outreach collaboration includes Permittees defining a uniform and consistent message, deciding how best to communicate the message, and how to facilitate behavioral changes. Then collaboratively apply what is learned through local jurisdiction groups, pooling resources and skills.); or
- (iii) Fulfilling education and outreach requirements within their jurisdictional boundaries on their own; or
- (iv) A combination of the previous options, so that all requirements are fulfilled.

Reporting – By the first year online Annual Report, the Permittee shall identify which compliance participation option it will use to comply with the public education and outreach requirements in this Section. For each public education and outreach requirement in this Section that the Permittee will comply with through contribution to a countywide storm water program or regional education and outreach collaborative effort, the Permittee shall include in the first year online Annual Report documentation, such as a written agreement, letter or similar document, which confirms the collaboration with other MS4s.

A.2. Public Education and Outreach

A.2.a. Public Education and Outreach

- (i) **Task Description** – Within the second year of the effective date of the permit, the Permittee shall develop and implement a comprehensive storm water public education and outreach program. The public education and outreach program shall be designed to reduce pollutant discharges in storm water runoff and non-storm water discharges to the MS4 through behavior changes in target communities. The Public Education and Outreach Program shall (1) measurably increase the knowledge of targeted communities regarding the municipal storm drain system, impacts of urban runoff and non-storm water discharges on receiving waters, and potential BMP solutions for the target audiences and (2) measurably change the behavior of target audiences, thereby reducing pollutant releases to the MS4 and the environment.

- (ii) **Implementation Level** –The Permittee shall, at a minimum:
- (a) Develop and implement a public education strategy that establishes education tasks based on water quality problems, target audiences, and anticipated task effectiveness. The strategy must include identification of who is responsible for implementing specific tasks, a schedule for task implementation, and a budget for implementing the tasks. The strategy must demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed. The Permittee shall use CBSM¹ strategies or equivalent.
 - (b) Implement surveys at least twice during the five year permit term to gauge the level of awareness and behavior change in target audiences and effectiveness of education tasks.
 - (c) Use of CBSM strategies or equivalent. The Public Education strategy shall at a minimum include the following Permittee actions:
 - (1) Research on barriers to desired behaviors and benefits of desired behaviors (ex. Literature review, observation, focus groups).
 - (2) Elicit commitment to implement desired behavior from target audience.
 - (3) Provide prompts reminding target audience of desired behavior.
 - (4) Use the concept of social norms/modeling of desired behavior.
 - (5) Use education messages that are specific, easy to remember, from a credible source, and appropriate for the target audience.
 - (6) Create incentives for the desired behavior.
 - (7) Remove barriers to the desired behavior.
 - (d) Development and conveyance of a specific storm water message that focuses on the following:
 - (1) Local pollutants of concern
 - (2) Target audience
 - (3) Behavior of concern
 - (4) Regional water quality issues
 - (e) Development and disseminate appropriate educational materials to target audiences and translate into applicable languages when appropriate (e.g. the materials can utilize various media such as printed materials, billboard and mass transit advertisements, signage at select locations, stenciling at storm drain inlets, radio advertisements, television advertisements, and websites);
 - (f) Utilization of public input (e.g., the opportunity for public comment, or public meetings) in the development of the program;

¹ CBSM: A systematic way to change the behavior of communities to reduce their impact on the environment. Realizing that simply providing information is usually not sufficient to initiate behavior change, CBSM uses tools and findings from social psychology to discover the perceived barriers to behavior change and ways of overcoming these barriers.

- (g) Distribution of the educational materials, using whichever methods and procedures determined appropriate during development of the public education strategy, in such a way that is designed to convey the program's message to 20% of the target audience each year;
 - (h) Coordination with outreach programs for the Water Efficient Landscape Ordinance to explain the benefits of storm water-friendly landscaping;
 - (i) Technical and financial assistance and implementation guidance related to storm water-friendly landscaping;
 - (j) Development and conveyance of messages specific to reducing illicit discharges with information about how the public can report incidents to the appropriate authorities;
 - (k) Development and conveyance of messages specific to proper application of pesticides, herbicides, and fertilizers;
 - (l) Storm water education for school-age children. The Permittee may use California's Education and Environment Initiative Curriculum or equivalent.
 - (m) Reducing discharges from charity car washes, mobile cleaning and pressure washing operations, and landscape irrigation.
- (iii) **Reporting** – By the second year online Annual Report and annually thereafter, report on the public education strategy and general program development and progress. By the fifth year online Annual Report, summarize changes in public awareness and behavior resulting from the implementation of the program and any modifications to the public outreach and education program. Report on the public education and CBSM strategies such as pilot programs, survey results, research on barriers to desired behaviors and benefits of desired behaviors, commitments from target audience to implement desired behavior, prompts, implementation of the social norms/modeling, education messages, incentives for desired behaviors, methods for removing barriers to behavior change, development of education materials, methods for educational material distribution, public input, Water Efficient Landscape Ordinance, technical and financial assistance for storm water friendly landscaping, reporting of illicit discharges, proper application of pesticides, herbicides, and fertilizers, elementary school education, reduction of discharges from charity car washes, mobile cleaning and pressure washing operations, and landscape irrigation efforts. Annually report number of trainings, describe the technical and financial program and implementation, and the study and results to date. For each whole five years of the permit life, submit the online Annual Report summarizing the changes in public awareness and behavior.

A.2.b. Construction Education and Outreach Program

- (i) **Task Description** – Within the second year of the effective date of the permit, the Permittee shall develop and implement a construction outreach and education program for construction sites smaller than one acre. The construction outreach and education program shall be designed to reduce pollutant discharges in storm water runoff and non-storm water discharges to the MS4 through behavior changes in target communities. The multi-media program shall (1) measurably increases the knowledge of the construction

community regarding the municipal storm drain system, impacts of urban runoff and non-storm water discharges on receiving waters, and potential BMP solutions for the target audiences and (2) measurably changes the behavior of the construction community, thereby reducing pollutant releases to the MS4 and the environment.

- (ii) **Implementation Level** –The program shall include, at a minimum:
 - (a) Development of a watershed-based inventory of the high priority residential and commercial construction sites within the Permittee's jurisdiction.
 - (b) Development and implementation of a construction outreach and education strategy that establishes measurable goals and prioritizes education tasks based on water quality problems, target audiences, and anticipated task effectiveness. The strategy must include identification of who is responsible for implementing specific tasks and attaining measurable goals, a schedule for task implementation, and a budget for implementing the tasks and meeting the measurable goals. The strategy must include measurable goals designed to demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed. Establish who is responsible for specific tasks and goals and a budget for meeting the tasks and goals.
 - (c) Implementation of CBSM to address the MS4's highest priority water quality problems. For each high priority water quality problem, implementation of CBSM shall first be conducted on a pilot project level. CBSM techniques found to be effective at the pilot project level shall be implemented jurisdiction-wide by permit year four. Pilot project and jurisdiction level CBSM shall include the following Permittee actions:
 - (1) Research on barriers to desired behaviors and benefits of desired behaviors (ex. Literature review, observation, focus groups).
 - (2) Elicit commitment to implement desired behavior from construction community.
 - (3) Provide prompts reminding construction community of desired behavior.
 - (4) Use the concept of social norms/modeling of desired behavior.
 - (5) Use education messages that are specific, easy to remember, from a credible source, and appropriate for the target audience.
 - (6) Create incentives for the desired behavior.
 - (7) Remove barriers to the desired behavior.
- (iii) **Reporting** – By the second year online Annual Report and annually thereafter, report program progress and mechanisms used for outreach and education including measureable increases in the knowledge of the construction community and measurable changes in the construction community's behavior. This includes a watershed-based inventory of high priority residential and commercial construction sites, outreach and education strategy and implementation, implementation of CBSM, pilot project, research on barriers to desired behaviors and benefits of desired behaviors, commitments from target audience to implement desired behavior, prompts, implementation of the social norms/modeling, education

messages, incentives for desired behaviors, methods for removing barriers to behavior change.

A.3. STAFF AND SITE OPERATOR TRAINING AND EDUCATION

A.3.a. Illicit Discharge Detection and Elimination Training

- (i) **Task Description** – Within the third year of the effective date of the permit, the Permittee shall develop and implement a training program for all Permittee staff who, as part of their normal job responsibilities, may be notified of, come into contact with, or otherwise observe an illicit discharge or illegal connection to the storm drain system.
- (ii) **Implementation Level** – The training program shall include at a minimum:
 - (a) Identification of an illicit discharge or illegal connection.
 - (b) Proper procedures for reporting and responding to the illicit discharge or illegal connection.
 - (c) Follow-up training shall be provided as needed to address changes in procedures, techniques, or staffing.
 - (d) The Permittee shall annually perform an assessment of their trained staff's knowledge of illicit discharge response and shall provide refresher training as needed.
 - (e) New staff that, as part of their normal job responsibilities may be notified of, come into contact with, or otherwise observe an illicit discharge or illegal connection shall be trained no later than six months after the start of employment.
 - (f) Contact information, including the procedure for reporting an illicit discharge, shall be included in each of the Permittee's fleet vehicles that are used by field staff.
 - (g) The Permittee shall conduct focused education in identified illicit discharge flow areas based on identified illicit discharge(s).
- (iii) **Reporting** - The Permittee shall document and maintain records of the training provided and the staff trained annually in the online Annual Report.

A.3.b. Construction Outreach and Education

1. Permittee Staff Training

- (i) **Task Description** – Within the second year of the effective date of the permit, the Permittee shall ensure that all staff implementing the construction storm water program are adequately trained.
- (ii) **Implementation Level** – The Permittee may conduct in-house training or contract with consultants. Training shall be provided to the following staff positions of the MS4:
 - (a) Plan Reviewers and Permitting Staff - Ensure staff and consultants are qualified individuals, knowledgeable in the technical review of local erosion and sediment control plans, and are certified pursuant

to a State Water Board sponsored program as a Qualified SWPPP Developer (QSD), or a designated person on staff possesses the QSD credential.

- (b) Erosion Sediment Control/Storm Water Inspectors - The Permittee shall ensure inspectors are qualified individuals, knowledgeable in inspection procedures, and are certified pursuant to a State Water Board sponsored program as either (1) a *Qualified SWPPP Developer* (QSD) (2) a Qualified SWPPP Practitioner (QSP) or (3) a designated person on staff possesses each credential (QSD to supervise plan review, QSP to supervise inspection operations).
 - (c) Third-Party Plan Reviewers, Permitting Staff, and Inspectors - If the Permittee utilizes outside parties to conduct inspections and/or review plans, the Permittee shall ensure these staff are trained.
- (iii) **Reporting** – By the second year of the permit term and annually thereafter, submit the following information:
- (a) Training topics covered.
 - (b) Dates of training.
 - (c) Number and percentage of Permittee's staff, as identified in Sections a-c above, attending each training.
 - (d) Results of any surveys conducted to demonstrate the awareness and potential behavioral changes in the attendees.

2. Construction Site Operator Education

- (i) **Task Description** – Within the third year of the effective date of the permit, the Permittee shall develop and distribute educational materials to construction site operators.
- (ii) **Implementation Level** – The Permittee shall do the following:
 - (a) Each year, provide information on training opportunities for construction operators on BMP selection, installation, implementation, and maintenance as well as overall program compliance.
 - (b) Develop or utilize existing outreach tools (i.e. brochures, posters, etc.) aimed at educating construction operators on appropriate selection, installation, implementation, and maintenance of storm water BMPs, as well as overall program compliance.
 - (c) Distribute appropriate outreach materials to all construction operators who will be disturbing land within the MS4 boundary. The Permittee's contact information and website shall be included in these materials.
 - (d) Update the existing storm water website to include information on appropriate selection, installation, implementation, and maintenance of BMPs.
- (iii) **Reporting** – By the third year online Annual Report and annually thereafter, include the following information:

- (a) Training topics covered;
- (b) Dates of training;
- (c) Number and percentage of Permittee's operators, inspectors, and number of Contractors attending each training;
- (d) Results of any surveys conducted to demonstrate the awareness and potential behavioral changes in the attendees.

A.3.c. Pollution Prevention and Good Housekeeping Staff Training

The Permittee shall train employees on how to incorporate pollution prevention/good housekeeping techniques into Permittee operations.

- (i) **Task Description** – Within the second year of the effective date of the permit, the Permittee shall develop a bi-annual employee training program for appropriate employees involved in implementing pollution prevention and good housekeeping practices in the Pollution Prevention/Good Housekeeping for Permittee Operations sections of this General Permit. The Permittee shall determine the need for interim training during alternate years when training is not conducted, through an evaluation of employee Pollution Prevention/Good Housekeeping knowledge. All new hires whose jobs include implementation of pollution prevention and good housekeeping practices must receive this training within the first year of their hire date.
- (ii) **Implementation Level** – The training program shall include the following:
 - (a) Bi-annual training for all employees implementing this program element. This bi-annual training shall include a general storm water education component, any new technologies, operations, or responsibilities that arise during the year, and the permit requirements that apply to the staff being trained. Employees shall receive clear guidance on appropriate storm water BMPs to use at municipal facilities and during typical O&M activities.
 - (b) A bi-annual assessment, occurring on alternate years between training, of trained staff's knowledge of pollution prevention and good housekeeping and shall revise the training as needed.
 - (c) A requirement that any contractors hired by the Permittee to perform O&M activities shall be contractually required to comply with all of the storm water BMPs, good housekeeping practices, and standard operating procedures described above.
 - (d) The Permittee shall provide oversight of contractor activities to ensure that contractors are using appropriate BMPs, good housekeeping practices and following standard operating procedures.
- (iii) **Reporting** – By the second year online Annual Report and annually thereafter, summarize oversight procedures and identify and track all personnel requiring training and assessment and records.

Standard Provisions

1. General Authority

Various storm water program components (e.g. IDDE) require enforceable controls on third party activities to ensure successful implementation of the program. Some non-traditional operators, however, may not have the necessary legal or regulatory authority to adopt enforceable controls. As with local governments that lack such authority, NTMS4s shall utilize the authority they do possess and seek cooperative agreements with local municipalities to implement enforceable controls.

2. Duty to Comply

The Permittee shall comply with all conditions of this Permit. Any Permit noncompliance constitutes a violation of the CWA and the Porter-Cologne Water Quality Control Act, which may be grounds for enforcement action or denial of General Permit coverage. [40 CFR 122.41(a)]

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the requirement.

In the event that the Permittee is removed from coverage under the General Permit, the Permittee will be required to seek coverage under an individual or alternative general permit.

3. General Permit Actions

This General Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a General Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not nullify any General Permit condition.

If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under §307(a) of CWA for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this General Permit, this General Permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and Permittee will be so notified.

4. Enforcement

- a. The enforcement provisions contained in this section shall not act as a limitation on the statutory or regulatory authority of the State and Regional Water Board.

- b. Any violation of the permit constitutes violation of the California Water Code and regulations adopted hereunder and the provisions of the Clean Water Act, and is the basis for enforcement, permit termination, permit revocation and reissuance, denial of an application for permit reissuance; or a combination thereof.
- c. The State Water Board has authority to regulate discharges from a MS4 on a system-wide or jurisdiction-wide basis. [CWA Section 402(p) & 40 CFR 122.26(a)(v)]
- d. The State and Regional Boards may impose administrative civil liability, may refer a discharger to the State Attorney General to seek civil monetary penalties, may seek injunctive relief or take other appropriate enforcement action as provided in the California Water Code or federal law for violation of Board orders.
- e. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this order and permit.
- f. Significant penalties may be imposed for violation of this General Permit, pursuant to CWC section 13385 and other State and federal statutes. Court-imposed liability may exceed \$25,000 per day, and Regional Water Board's may impose administrative fines exceeding \$10,000 per day. [40 CFR 122.41(a)(2)&(3)]
- g. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both. [40 CFR 122.41(k)(2)]
- h. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than two years, or both. Higher penalties may be imposed for repeat offenders. [40 CFR 122.41(j)(5)]

5. Noncompliance Reporting

Permittees who cannot certify compliance and/or who have had other instances of noncompliance shall notify the appropriate Regional Water Board within 30 days. Instances of noncompliance resulting in emergencies (i.e., that endanger human health or the environment) shall be reported orally to the Regional Water Board within 24 hours from the time the discharger becomes aware of the circumstance and in writing to the Regional Water Board within five days of the occurrence. The notification shall identify the noncompliance event and an initial assessment of any

impact caused by the event, describe the actions necessary to achieve compliance, and include a time schedule indicating when compliance will be achieved. The time schedule and corrective measures are subject to modification by the Regional Water Board Executive Officer.

6. Duty to Mitigate

The Permittee shall take all responsible steps to minimize or prevent any discharge in violation of this General Permit that has a reasonable likelihood of adversely affecting human health or the environment. [40 CFR 122.41(d)]

7. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain any facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this General Permit and with the requirements of the storm water program. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems installed by the Permittee when necessary to achieve compliance with the conditions of this General Permit. [40 CFR 122.41(e)]

8. Property Rights

This General Permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor does it authorize any infringement of federal, State, or local laws or regulations.[40 CFR 122.41(g)]

9. Duty to Provide Information

The Permittee shall furnish Regional Water Boards or U.S. EPA, during normal business hours, any requested information to determine compliance with this General Permit. The Permittee shall also furnish, upon request, copies of records required to be kept by this General Permit. [40 CFR 122.41(h)]

10. Inspection and Entry

Upon the presentation of credentials and other documents as may be required by law, the Permittee shall allow the State and Regional Water Boards, U.S. EPA, or municipal storm water management agency to enter upon the Permittee premises where a regulated facility or activity is located or conducted or where records are required to be kept under the conditions of this General Permit to [40 CFR 122.41(i)]:

- a. Have access to and copy at reasonable times any records that are required to be kept under the conditions of this Permit;

- b. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) that are related to or may impact any storm water or non-storm water discharge; and
- c. Conduct monitoring activities at reasonable times to ensure Permit compliance.
- d. Photograph or videotape outdoor areas of the facility to document compliance or non-compliance with this Permit.

11. Signatory Requirements

All NOIs, certifications, reports, or other information prepared in accordance with this General Permit that are submitted to State or Regional Water Boards shall be signed by either a principal executive officer, ranking elected official, or duly authorized representative. The principal executive officer of a Federal agency includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of U.S. EPA). For the military: any military officer or Department of Defense civilian, acting in an equivalent capacity to a military officer, who has been designated.

12. Certification

Any person signing documents under this General Permit shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

13. Anticipated Noncompliance

The Permittee will give advance notice to the Regional Water Board of any planned changes in the regulated Small MS4 activity that may result in noncompliance with General Permit requirements.

14. Penalties for Falsification of Reports

Section 309(c)(4) of CWA provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this General Permit, including reports of compliance or noncompliance, shall upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than two years or by both.

15. Penalties for Violations of Permit Conditions

- a. Part 309 of CWA provides significant penalties for any person who violates a permit condition implementing Parts 301, 302, 306, 307, 308, 318, or 405 of CWA or any permit condition or limitation implementing any such section in a permit issued under Part 402. Any person who violates any permit condition of this General Permit is subject to a civil penalty not to exceed \$27,500 per calendar day of such violation, as well as any other appropriate sanction provided by Part 309 of CWA.
- b. the California Water Code also provides for administrative, civil, and criminal penalties, which in some cases are greater than those under CWA.

16. Oil and Hazardous Substance Liability

Nothing in this General Permit shall be construed to preclude the institution of any legal action against the Permittee or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Part 311 of CWA.

17. Severability

The provisions of this General Permit are severable; and, if any provision of this General Permit or the application of any provision of this General Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this General Permit shall not be affected thereby.

18. Reopener Clause

This General Permit may be modified, revoked and reissued, or terminated for cause due to promulgation of amended regulations, or otherwise in accordance with 40 CFR sections 122.62, 122.63, 122.64, and 124.5.

19. Availability

A copy of this General Permit and Annual Reports shall be made available for public review, program evaluation (audit) and inspection.

20. Transfers

This General Permit is not transferable. A Permittee shall submit written notification to the appropriate Regional Water Board to terminate coverage of this General Permit.

21. Continuation of Expired Permit

This General Permit expires five years from the date of adoption. This General Permit continues in force and in effect until a new General Permit is issued or the State Water Board rescinds this General Permit. Only those Small MS4s authorized to discharge under the expired General Permit are covered by the continued General Permit.

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Entity	Impaired water body	Deliverables/Actions Required/Waste Load Allocations
Region 1: North Coast Regional Water Board			
Laguna de Santa Rosa <i>Ammonia & Dissolved Oxygen</i> Effective Date: May 4, 1995 BPA: none Resolution No.: none	City of Cotati	Laguna de Santa Rosa	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Waste Reduction Strategy for the Laguna de Santa Rosa which includes TMDLs for nitrogen and ammonia to address low dissolved oxygen and high ammonia impairments. Requirements for Implementing the Waste Reduction Strategy for the Laguna de Santa Rosa Implement a storm water runoff program that is aimed at nutrient load reduction and pollution control through the execution of the provisions of this Phase II Small MS4 General Permit.
	City of Rohnert Park		
	City of Sebastopol		
	Town of Windsor		
Shasta River <i>Temperature & Dissolved Oxygen</i> Effective Date: January 26, 2007 BPA: Action Plan for the Shasta River Watershed Temperature and Dissolved Oxygen Total Maximum Daily Loads Resolution No.: R1-2006-0052	City of Yreka	Shasta River	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Action Plan for the Shasta River Watershed Temperature and Dissolved Oxygen TMDLs. Requirements for Implementing the Action Plan for the Shasta River Watershed Temperature and Dissolved Oxygen TMDLs Within one year of approval of the Phase II Small MS4 General Permit, the City of Yreka shall develop a plan to minimize, control, and preferably prevent discharges of fine sediment, nutrients and other oxygen-consuming materials, and elevated water temperature waste discharge from affecting waters of the Shasta River and its tributaries. The plan shall be submitted to the Regional Water Board's Executive Officer for review, comment, and approval. Within four years of approval of the Phase II Small MS4 General Permit, the City of Yreka shall begin implementing the plan.

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required
Region 2: San Francisco Regional Water Board			
Napa River Sediment Effective Date: January 20, 2011 BPA: Chapter 7, Water Quality Attainment Strategies including TMDLs Resolution No. R2-2009-0064	Napa County	Napa River	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Napa River sediment TMDL. TMDL Wasteload and Load Allocations The Napa River sediment TMDL assigns to municipal storm water a wasteload allocation and load allocation for the roads source category. The sediment wasteload allocation is 600 tons/year and applies to storm water runoff discharges from municipalities' facilities associated with construction and/or maintenance activities. The load allocation 27,000 metric tons/year of sediment is for the road and stream crossings category and applies to stream crossings and storm water runoff discharges associated with operation of public and private roads, paved and unpaved, within the watershed not otherwise covered by NPDES permits. Municipalities share this allocation with another entity (i.e., Caltrans). Requirements for Implementing the Napa River Sediment TMDL Wasteload and Load Allocations A. Implementation of Sediment Wasteload Allocations i. To attain the wasteload allocation, municipalities shall comply with the construction and maintenance requirements of this Order. B. Implementation of Sediment Load Allocations i. To attain the shared load allocation of 27,000 metric tons/year, municipalities shall determine opportunities to retrofit and/or reconstruction of road crossings to minimize road-related sediment delivery (≤500 cubic yards/mile per 20-year period) to stream channels. Specifically, to reduce road-related erosion and protect stream-riparian habitat conditions, municipalities shall by October 31, 2014: <ul style="list-style-type: none"> • Adopt and implement best management practices for maintenance of unimproved (dirt/gravel) roads • Conduct a survey of stream-crossings associated with paved public roadways • Develop a prioritized implementation plan for repair and/or replacement of high priority crossings/culverts. For paved roads, erosion and sediment control actions shall primarily focus on road crossings to meet the sediment load allocation.
	City of Napa		
	Town of Yountville		
	City of St. Helena		
	City of Calistoga		
	City of American Canyon		

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required
Region 2: San Francisco Regional Water Board			
Sonoma Creek Sediment Effective Date: September 8, 2010 BPA: Chapter 7, Water Quality Attainment Strategies including TMDLs Resolution No. R2-2008-0103	County of Sonoma	Sonoma Creek	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Sonoma Creek sediment TMDL. TMDL Wasteload and Load Allocations The Sonoma Creek sediment TMDL assigns to municipal storm water a wasteload allocation and load allocation for the roads source category. The sediment wasteload allocation is 600 tons/year and applies to storm water runoff discharges from municipalities' facilities associated with construction and/or maintenance activities. The load allocation 2,100 tons/year of sediment is for the road and stream crossings category and applies to stream crossings and storm water runoff discharges associated with operation of public and private roads, paved and unpaved, within the watershed not otherwise covered by NPDES permits. Municipalities share this allocation with another entity (i.e., Caltrans). Requirements for Implementing the Sonoma Creek Sediment TMDL Wasteload and Load Allocations A. Implementation of Sediment Wasteload Allocations i. To attain the wasteload allocation, municipalities shall comply with the construction and maintenance requirements of this Order. B. Implementation of Sediment Load Allocations i. To attain the shared load allocation of 2,100 tons/year, municipalities shall determine opportunities to retrofit and/or reconstruction of road crossings to minimize road-related sediment delivery to stream channels. Specifically, to reduce road-related erosion and protect stream-riparian habitat conditions, municipalities shall by October 31, 2014: <ul style="list-style-type: none"> • Adopt and implement best management practices for maintenance of unimproved (dirt/gravel) roads • Conduct a survey of stream-crossings associated with paved public roadways • Develop a prioritized implementation plan for repair and/or replacement of high priority crossings/culverts.
	City of Sonoma		For paved roads, erosion and sediment control actions shall primarily focus on road crossings to meet the sediment load allocation.

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required																		
Region 2: San Francisco Regional Water Board																					
Napa River Pathogens Effective Date: February 29, 2008 BPA: Chapter 7, Water Quality Attainment Strategies including TMDLs Resolution No. R2-2006-0079	Napa County	Napa River	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Napa River pathogens TMDL.																		
	City of Napa		TMDL Wasteload Allocations The Napa River pathogens TMDL assigns a wasteload allocation to municipal storm water as follows:																		
			<table><tr><td colspan="2"><i>E.coli</i> (CFU/100 mL)</td><td colspan="2">Fecal coliform (CFU/100 mL)</td><td colspan="2">Total coliform (CFU/100 mL)</td></tr><tr><td>Geometric Mean</td><td>90th percentile</td><td>Geometric Mean</td><td>90th percentile</td><td>Geom etric Mean</td><td>90th perce ntile</td></tr><tr><td><113</td><td><368</td><td><180</td><td><360</td><td><216</td><td><9,00 0</td></tr></table>	<i>E.coli</i> (CFU/100 mL)		Fecal coliform (CFU/100 mL)		Total coliform (CFU/100 mL)		Geometric Mean	90 th percentile	Geometric Mean	90 th percentile	Geom etric Mean	90 th perce ntile	<113	<368	<180	<360	<216	<9,00 0
			<i>E.coli</i> (CFU/100 mL)		Fecal coliform (CFU/100 mL)		Total coliform (CFU/100 mL)														
	Geometric Mean		90 th percentile	Geometric Mean	90 th percentile	Geom etric Mean	90 th perce ntile														
	<113		<368	<180	<360	<216	<9,00 0														
Town of Yountville	These allocations are applicable year-round and apply to any sources (existing or future) subject to regulation by NPDES permit.																				
City of St. Helena	Requirements for Implementing the Napa River Pathogens TMDL Wasteload Allocations																				
	<p>Municipalities shall, within 18 months of permit adoption :</p> <p>i. Public Participation and Outreach. Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce pathogen loading.</p> <p>ii. Pet Waste Management. Develop and implement enforceable means of reducing/eliminating fecal coliform loading from pet waste.</p> <p>iii. Illicit Discharge Detection and Elimination. Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to the Napa River.</p> <p>iv. Pollution Prevention and Good Housekeeping. Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas that potentially collect and discharge fecal coliform to the Napa River.</p> <p>v. Conduct baseline water quality monitoring to evaluate <i>E.coli</i> concentration trends in the Napa River and its tributaries. Table 7-g in Chapter 7, Water Quality Attainment Strategies, presents locations and frequency for the required baseline water quality monitoring.</p> <p>vi. Report annually on water quality monitoring results and progress made on implementation of human and animal runoff reduction measures.</p>																				
City of Calistoga																					
City of American Canyon																					

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required																		
Region 2: San Francisco Regional Water Board																					
Sonoma Creek Pathogens Effective Date: February 29, 2008 BPA: Chapter 7, Water Quality Attainment Strategies including TMDLs Resolution No. R2-2006-0042	County of Sonoma	Sonoma Creek	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Sonoma Creek pathogens TMDL. TMDL Wasteload Allocations The Sonoma Creek pathogens TMDL assigns a wasteload allocation to municipal storm water as follows: <table><tr><th colspan="2">E.coli (CFU/100 mL)</th><th colspan="2">Fecal coliform (CFU/100 mL)</th><th colspan="2">Total coliform (CFU/100 mL)</th></tr><tr><th>Geometric Mean</th><th>90th percentile</th><th>Geometric Mean</th><th>90th percentile</th><th>Geometric Mean</th><th>90th percentile</th></tr><tr><td><113</td><td><368</td><td><180</td><td><360</td><td><216</td><td><9,000</td></tr></table> These allocations are applicable year-round and apply to any sources (existing or future) subject to regulation by NPDES permit. Requirements for Implementing the Sonoma Creek Pathogens TMDL Wasteload Allocations Municipalities shall, within 18 months of permit adoption: <ul style="list-style-type: none">i. Public Participation and Outreach. Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce pathogen loading.ii. Pet Waste Management. Develop and implement enforceable means of reducing/eliminating fecal coliform loading from pet waste.iii. Illicit Discharge Detection and Elimination. Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to Sonoma Creek.iv. Pollution Prevention and Good Housekeeping. Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas that potentially collect and discharge fecal coliform to Sonoma Creek.v. Conduct baseline water quality monitoring to evaluate E.coli concentration trends in Sonoma Creek and its tributaries. Table 7-n in Chapter 7, Water Quality Attainment Strategies, presents locations and frequency for the required baseline water quality monitoring.vi. Report annually on water quality monitoring results and progress made on implementation of human and animal runoff reduction measures.	E.coli (CFU/100 mL)		Fecal coliform (CFU/100 mL)		Total coliform (CFU/100 mL)		Geometric Mean	90 th percentile	Geometric Mean	90 th percentile	Geometric Mean	90 th percentile	<113	<368	<180	<360	<216	<9,000
	E.coli (CFU/100 mL)		Fecal coliform (CFU/100 mL)		Total coliform (CFU/100 mL)																
	Geometric Mean		90 th percentile	Geometric Mean	90 th percentile	Geometric Mean	90 th percentile														
<113	<368	<180	<360	<216	<9,000																
City of Sonoma																					

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required												
Region 2: San Francisco Regional Water Board															
<div>Tomales Bay Pathogens</div> <div>Effective Date: February 8, 2007</div> <div>BPA: Chapter 4, Surface Water Protection and Management, Nonpoint Source Control</div> <div>Resolution No. R2-2005-0046</div>	Marin County	Tomales Bay, Lagunitas Creek, Walker Creek, and Olema Creek	<div>Purpose of Provisions</div> <div>The purpose of these provisions is to implement the requirements of the Tomales Bay pathogens TMDL.</div> <div>TMDL Wasteload Allocations</div> <div>The Tomales Bay pathogens TMDL assigns a wasteload allocation to municipal storm water as follows:</div> <table><tr><th colspan="3">Fecal Coliform^a (MPN/100 mL)</th></tr><tr><th colspan="2">For Direct Discharges to Tomales Bay</th><th>For Discharges to Major Tomales Bay Tributaries</th></tr><tr><th>Median^b</th><th>90th percentile^c</th><th>Log Mean^b</th></tr><tr><td><14</td><td><43</td><td><200</td></tr></table> <div>^a These allocations are applicable year-round and apply to any sources (existing or future) subject to regulation by NPDES permit.</div> <div>^b Based on a minimum of five consecutive samples equally spaced over a 30-day period.</div> <div>^c No more than 10% of total samples during any 30-day period may exceed this number</div> <div>Requirements for Implementing the Tomales Bay Pathogens TMDL Wasteload Allocations</div> <div>Municipalities shall, by within 18 months of permit adoption,:</div> <div><div>i.</div><div>Public Participation and Outreach. Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce pathogen loading.</div></div> <div><div>ii.</div><div>Pet Waste Management. Develop and implement enforceable means of reducing/eliminating fecal coliform loading from pet waste.</div></div> <div><div>iii.</div><div>Illicit Discharge Detection and Elimination. Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to Tomales Bay.</div></div> <div><div>iv.</div><div>Pollution Prevention and Good Housekeeping. Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas that potentially collect and discharge fecal coliform to Tomales Bay.</div></div> <div><div>v.</div><div>Report annually on water quality monitoring results and progress made on implementation of human and animal runoff reduction measures.</div></div>	Fecal Coliform ^a (MPN/100 mL)			For Direct Discharges to Tomales Bay		For Discharges to Major Tomales Bay Tributaries	Median ^b	90 th percentile ^c	Log Mean ^b	<14	<43	<200
Fecal Coliform ^a (MPN/100 mL)															
For Direct Discharges to Tomales Bay		For Discharges to Major Tomales Bay Tributaries													
Median ^b	90 th percentile ^c	Log Mean ^b													
<14	<43	<200													

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required							
Region 2: San Francisco Regional Water Board										
<div>Richardson Bay Pathogens</div> <div>Effective Date: December 18, 2009</div> <div>BPA: Chapter 7, Water Quality Attainment Strategies including TMDLs</div> <div>Resolution No. R2-2008-0061</div>	Marin County	Richardson Bay	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Richardson Bay pathogens TMDL.							
	City of Mill Valley		TMDL Wasteload Allocations The Richardson Bay pathogens TMDL assigns a wasteload allocation to municipal storm water as follows:							
			<table><tr><td colspan="2">Fecal Coliform^a (MPN/100 mL)</td></tr><tr><td>Median^b</td><td>90th Percentile^c</td></tr><tr><td><14</td><td><43</td></tr></table>		Fecal Coliform ^a (MPN/100 mL)		Median ^b	90 th Percentile ^c	<14	<43
			Fecal Coliform ^a (MPN/100 mL)							
			Median ^b	90 th Percentile ^c						
<14	<43									
^a These allocations are applicable year-round. ^b based on a minimum of five consecutive samples equally spaced over a 30-day period ^c No more than 10% of total samples during any 30-day period may exceed this number										
Requirements for Implementing the Richardson Bay Pathogens TMDL Wasteload Allocations										
City of Tiburon			Municipalities shall, by within 18 months of permit adoption: <div><div>i.</div><div>Public Participation and Outreach. Educate the public regarding sources of fecal coliform and associated health risks of fecal coliform in surface waters. Educate the public regarding actions that individuals can take to reduce pathogen loading.</div><div>ii.</div><div>Pet Waste Management. Develop and implement enforceable means of reducing/eliminating fecal coliform loading from pet waste.</div><div>iii.</div><div>Illicit Discharge Detection and Elimination. Develop and implement strategies to detect and eliminate illicit discharges (whether mistaken or deliberate) of sewage to Richardson Bay.</div><div>iv.</div><div>Pollution Prevention and Good Housekeeping. Develop and implement strategies to reduce/eliminate fecal coliform loading from streets, parking lots, sidewalks, and other urban areas that potentially collect and discharge fecal coliform to Richardson Bay.</div><div>v.</div><div>Report annually on progress made on implementation of pathogen reduction measures.</div></div>							
City of Belvedere										
City of Sausalito										

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required
Region 2: San Francisco Regional Water Board			
Urban Creek <i>Diazinon & Pesticide Toxicity</i> Effective Date: May 16, 2007 BPA: BPA – Chapter 3, Toxicity Resolution No. R2-2005-0063	Marin County	Arroyo Corte Madera del Presidio, Corte Madera Creek, Coyote Creek (Marin Co.), Gallinas Creek, Miller Creek, Novato Creek, San Antonio Creek, and San Rafael Creek	Purpose of Provision The purpose of the following provisions is to prevent the impairment of urban streams by pesticide-related toxicity. This provision implements requirements of the TMDL for Diazinon and Pesticide Related Toxicity for Urban Creeks in the San Francisco Bay Region. Pesticides of concern include: organophosphorous pesticides (chlorpyrifos, diazinon, and malathion); pyrethroids (bifenthrin, cyfluthrin, beta-cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, lambda-cyhalothrin, permethrin, and tralomethrin); carbamates (e.g., carbaryl); and fipronil. Wasteload Allocations Diazinon: 100 ng/l Toxicity: 1.0 TUa (acute toxicity units) and 1.0 TUc (chronic toxicity units) Requirements for Implementing the Wasteload Allocations Urban runoff management agencies' responsibilities for addressing the allocations set above will be satisfied by complying with the requirements set forth below. Permittees may coordinate with the Bay Area Storm water Management Agencies Association, the Urban Pesticide Pollution Prevention Project, the Urban Pesticide Committee, and other agencies and organizations in carrying out these activities.
	City of Mill Valley		A. Adopt a Pesticide-Related Toxicity Control Program To prevent the impairment of urban streams by pesticide-related toxicity, adopt an Integrated Pest Management Policy (IPM) or Ordinance, applicable to all the permittees' operations and property, as described in the Basin Plan amendment (Implementation Section) for this TMDL. The IPM Policy or Ordinance shall be adopted by the permittee's governing body within 18 months of permit adoption. B. Implement the Pesticide-Related Toxicity Control Program Implementation actions shall include: <ul style="list-style-type: none"> • Ensure all municipal employees who apply or use pesticides within the scope of their duties are trained in the IPM practices and policy/ordinance. • Require all contractors to implement the IPM policy/ordinance. • Keep the County Agricultural Commissioners informed of water quality issues related to pesticides and of violations of pesticides regulations (e.g., illegal handling) associated with storm water management. • Conduct outreach to residents and pest control applicators on less toxic methods of pest control. • Keep records of the permittees' own use of pesticides of concern and the pesticide use by the permittees' hired contractors. Report on pesticide use when requested by the Regional Water Board. • Monitor water and sediment for pesticides and associated toxicity in urban creeks via an individual or regional program designed to answer the following questions: <ul style="list-style-type: none"> ◦ Are the TMDL toxicity targets being met? Is toxicity observed in urban creeks caused by a pesticide?
	City of Belvedere		
	Town of Corte Madera		
	Town of Fairfax		
	City of Larkspur		
	City of Mill Valley		
	City of Novato		
	Town of Ross		
	Town of San Anselmo		
	City of San Rafael		
	City of Sausalito		
	Town of Tiburon		

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

	County of Sonoma	Petaluma River, and Calabazas Creek	<ul style="list-style-type: none"> Is urban runoff the source of any observed toxicity in urban creeks? How does observed pesticide-related toxicity in urban creeks (or pesticide concentrations contributing to such toxicity) vary in time and magnitude across urban creek watersheds, and what types of pest control practices contribute to such toxicity? Are actions already being taken to reduce pesticide discharges sufficient to meet the targets, and if not, what should be done differently?
	City of Petaluma		
	City of Sonoma		

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required/Wasteload Allocations
Region 3: Central Coast Regional Water Board			
TMDL and Implementation Plan for Pathogens for Morro Bay and Chorro and Los Osos Creeks Effective Date: 11/19/2003 BPA: Chapter 4 Resolution No. R3-2003-0060	City of Morro Bay	Morro Bay	Purpose of Provisions The purpose of these provisions is to implement the requirements of the Morro Bay (Chorro and Los Osos Creeks) Pathogen TMDL. TMDL Wasteload Allocations The City of Morro Bay and County of San Luis Obispo are assigned the following wasteload allocations: 1) for discharges to Los Osos Creek, Chorro Creek, and their tributaries, the fecal coliform geometric mean concentration shall not exceed 200 MPN/100 mL over a 30-day period nor shall 10% of the samples exceed 400 MPN/100 mL over any 30-day period. 2) For discharges to Morro Bay, the fecal coliform geometric mean concentration of 14 MPN/100 mL must be achieved and no more than 10% of the samples may be over 43 MPN/100 mL. Provisions for Implementing TMDL Within one year of adoption of this Order, the City of Morro Bay and County of San Luis Obispo shall each develop, submit, and begin implementation of a Wasteload Allocation Attainment Program that identifies the actions they will take to attain their wasteload allocations. The Wasteload Allocation Attainment Programs shall include: <ol style="list-style-type: none"> 1. A detailed description of the strategy the MS4 will use to guide BMP selection, assessment, and implementation, to ensure that BMPs implemented will be effective at abating pollutant sources, reducing pollutant discharges, and achieving wasteload allocations according to the TMDL schedule 2. Identification of sources of the impairment within the MS4's jurisdiction, including specific information on various source locations and their magnitude within the jurisdiction. 3. Prioritization of sources within the MS4's jurisdiction, based on suspected contribution to the impairment, ability to control the source, and other pertinent factors. 4. Identification of BMPs that will address the sources of impairing pollutants and reduce the discharge of impairing pollutants. 5. Prioritization of BMPs, based on suspected effectiveness at abating sources and reducing impairing pollutant discharges, as well as other pertinent factors. 6. Identification of BMPs the MS4 will implement, including a detailed implementation schedule. For each BMP, identify milestones the MS4 will use for tracking implementation, measurable goals the MS4 will use to assess implementation efforts, and measures and targets the MS4 will use to assess effectiveness. MS4s shall include expected BMP implementation for future implementation years, with the understanding that future BMP implementation plans may change as new information is obtained. 7. A quantifiable numeric analysis demonstrating the BMPs selected for implementation will likely achieve, based on modeling, published BMP pollutant removal performance estimates, best professional judgment, and/or other available tools, the MS4's wasteload allocation according to the schedule identified in the TMDL. This analysis will most likely incorporate modeling efforts. The MS4 shall conduct repeat numeric analyses as the BMP implementation plans evolve and information on BMP effectiveness is generated. Once the MS4 has water quality data from its monitoring program, the MS4 shall incorporate water quality data into the numeric analyses to validate BMP implementation plans. 8. A detailed description, including a schedule, of a monitoring program the MS4 will implement to assess discharge and receiving water quality, BMP effectiveness, and progress towards any interim targets and ultimate attainment of the MS4's wasteload allocation. The monitoring program shall be designed to validate BMP implementation efforts and quantitatively demonstrate attainment interim targets and wasteload
		Chorro Creek	
		Los Osos Creek	
		Pennington Creek	
		San Bernardo Creek	
	County of San Luis Obispo	San Luisito Creek	
		Walters Creek	
		Warden Creek	

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required/Wasteload Allocations
Region 3: Central Coast Regional Water Board			
			<p>allocations. If the approved TMDL does not explicitly include interim targets, the MS4 shall establish interim targets (and dates when stormwater discharge conditions will be evaluated) that are equally spaced in time over the TMDL compliance schedule and represent measurable, continually decreasing MS4 discharge concentrations or other appropriate interim measures of pollution reduction and progress towards the wasteload allocation. At least one interim target and date must occur during the five-year term of this Order. The MS4 shall achieve its interim targets by the date it specifies in the Wasteload Allocation Attainment Program. If the MS4 does not achieve its interim target by the date specified, the MS4 shall develop and implement more effective BMPs that it can quantitatively demonstrate will achieve the next interim target.</p> <ol style="list-style-type: none"> 9. A detailed description of how the MS4 will assess BMP and program effectiveness. The description shall incorporate the assessment methods described in the CASQA Municipal Storm water Program Effectiveness Assessment Guide. 10. A detailed description of how the MS4 will modify the program to improve upon BMPs determined to be ineffective during the effectiveness assessment. 11. A detailed description of information the MS4 will include in annual reports to demonstrate adequate progress towards attainment of wasteload allocations according to the TMDL schedule. 12. A detailed description of how the MS4 will collaborate with other agencies, stakeholders, and the public to develop and implement the Wasteload Allocation Attainment Program. 13. Any other items identified by Integrated Report fact sheets, TMDL Project Reports, TMDL Resolutions, or that are currently being implemented by the MS4 to control its contribution to the impairment. <p>All allocations shall be achieved by November 19, 2013.</p>

ATTACHMENT G – Region Specific Requirements

Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required/Wasteload Allocations
Region 3: Central Coast Regional Water Board			
Watsonville Slough Total Maximum Daily Load and Implementation Plan for Pathogens Effective Date: 11/20/2006 BPA: Chapter 4 Resolution No. R3-2006-0025	City of Watsonville		Purpose of Provisions The purpose of these provisions is to implement the requirements of the Watsonville Slough Pathogen TMDL.
		Watsonville Slough	TMDL Wasteload Allocations The City of Watsonville and the County of Santa Cruz are assigned the following concentration based wasteload allocation: Fecal coliform concentration, based on a minimum of five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than ten percent of total samples collected during any 30-day period exceed 400 MPN per 100mL.
		Struve Slough	These wasteload allocations are receiving water allocations; storm water discharge cannot cause or contribute to exceedance of the allocations as measured in receiving water.
		Harkins Slough	The City of Watsonville is assigned allocations in the following water bodies: Watsonville, Struve, Harkins, Gallighan and Hanson Sloughs.
		Gallighan Slough	The County of Santa Cruz is assigned allocation in the following water bodies: Watsonville, Struve and Harkins Sloughs.
		Hanson Slough	Provisions for Implementing the TMDL The City and County public participation and outreach efforts must include the following tasks: a) Educating the public about sources of fecal coliform and its associated health risks in surface waters; and b) Identifying and promoting specific actions that responsible parties can implement to reduce pathogen loading from sources such as homeless encampments, agricultural field workers, and homeowners who contribute waste from domestic pets.
			The County of Santa Cruz and City of Watsonville shall implement practices that will assure their allocation is achieved. By June 30, 2013, the County of Santa Cruz and City of Watsonville shall each develop, submit, and begin implementation of a Wasteload Allocation Attainment Program that identifies the actions they will take to attain their wasteload allocations. The Wasteload Allocation Attainment Programs shall include:
			<ol style="list-style-type: none"> 1. A detailed description of the strategy the MS4 will use to guide BMP selection, assessment, and implementation, to ensure that BMPs implemented will be effective at abating pollutant sources, reducing pollutant discharges, and achieving wasteload allocations according to the TMDL schedule. 2. Identification of sources of the impairment within the MS4's jurisdiction, including specific information on various source locations and their magnitude within the jurisdiction. 3. Prioritization of sources within the MS4's jurisdiction, based on suspected contribution to the impairment, ability to control the source, and other pertinent factors. 4. Identification of BMPs that will address the sources of impairing pollutants and reduce the discharge of impairing pollutants.

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Regional Water Board Approved TMDLs where urban runoff is listed as a source

TMDL Effective Date/BPA/Res. No.	Municipality	Impaired Water body	Deliverables/Actions Required/Wasteload Allocations
Region 3: Central Coast Regional Water Board			
	County of Santa Cruz		<ol style="list-style-type: none"> 5. Prioritization of BMPs, based on suspected effectiveness at abating sources and reducing impairing pollutant discharges, as well as other pertinent factors. 6. Identification of BMPs the MS4 will implement, including a detailed implementation schedule. For each BMP, identify milestones the MS4 will use for tracking implementation, measurable goals the MS4 will use to assess implementation efforts, and measures and targets the MS4 will use to assess effectiveness. MS4s shall include expected BMP implementation for future implementation years, with the understanding that future BMP implementation plans may change as new information is obtained. 7. A quantifiable numeric analysis demonstrating the BMPs selected for implementation will likely achieve, based on modeling, published BMP pollutant removal performance estimates, best professional judgment, and/or other available tools, the MS4's wasteload allocation according to the schedule identified in the TMDL. This analysis will most likely incorporate modeling efforts. The MS4 shall conduct repeat numeric analyses as the BMP implementation plans evolve and information on BMP effectiveness is generated. Once the MS4 has water quality data from its monitoring program, the MS4 shall incorporate water quality data into the numeric analyses to validate BMP implementation plans. 8. A detailed description, including a schedule, of a monitoring program the MS4 will implement to assess discharge and receiving water quality, BMP effectiveness, and progress towards any interim targets and ultimate attainment of the MS4s' wasteload allocation. The monitoring program shall be designed to validate BMP implementation efforts and quantitatively demonstrate attainment of interim targets and wasteload allocations. If the approved TMDL does not explicitly include interim targets, the MS4 shall establish interim targets (and dates when stormwater discharge conditions will be evaluated) that are equally spaced in time over the TMDL compliance schedule and represent measurable, continually decreasing MS4 discharge concentrations or other appropriate interim measures of pollution reduction and progress towards the wasteload allocation. At least one interim target and date must occur during the five-year term of this Order. The MS4 shall achieve its interim targets by the date it specifies in the Wasteload Allocation Attainment Program. If the MS4 does not achieve its interim target by the date specified, the MS4 shall develop and implement more effective BMPs that it can quantitatively demonstrate will achieve the next interim target. 9. A detailed description of how the MS4 will assess BMP and program effectiveness. The description shall incorporate the assessment methods described in the CASQA Municipal Storm water Program Effectiveness Assessment Guide. 10. A detailed description of how the MS4 will modify the program to improve upon BMPs determined to be ineffective during the effectiveness assessment. 11. A detailed description of information the MS4 will include in annual reports to demonstrate adequate progress towards attainment of wasteload allocations according to the TMDL schedule. 12. A detailed description of how the MS4 will collaborate with other agencies, stakeholders, and the public to develop and implement the Wasteload Allocation Attainment Program. 13. Any other items identified by Integrated Report fact sheets, TMDL Project Reports, TMDL Resolutions, or that are currently being implemented by the MS4 to control its contribution to the impairment, including public education and participation items identified above. <p>All allocations shall be achieved by November 20, 2016.</p>